IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.10852 of 2008
LITO YADAV
Versus
STATE OF BIHAR
---

3 6.5.2008 Heard learned counsel for the parties.

The petitioner's prayer for bail was earlier rejected by order, dated 28.2.2007 for an offence alleged to have been committed under sections 364, 380/34 and 395 of the Penal Code.

The prosecution case is that the informant's grand son who was eight years old had been kidnapped from the house.

Learned counsel for the petitioner submits that the name of the petitioner has not transpired in the F.I.R. although the petitioner is a co-villager and the F.I.R. was lodged after fourteen hours which gave the informant sufficient time to note down the names of the persons he had identified during the occurrence.

WEB COPY NOT OFFICIAL

Learned counsel for the petitioner submits that it is only after thought that his name has been included in the further statement of the informant. Learned counsel submits that the petitioner has been named due to village politics and because of Mukhiya election.

The petitioner is in custody since 19.10.2006.

In the circumstances of this case, I am not inclined to grant bail to the petitioner for the present. This bail petition is dismissed.

However, if the trial is not concluded within a period of four months, the petitioner may renew his prayer for bail.

haque **(Sheema Ali Khan, J.)**

WEB COPY
NOT OFFICIAL